



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 99-089)

In re the Application of:

Mark O. Vogel

Serial No.: 09/318,460

Filed: May 25, 1999

For: METHOD FOR DYNAMIC  
PERFORMANCE OPTIMIZATION IN A  
DATA-OVER-CABLE SYSTEM

Group Art Unit 2666

Examiner: Melanie Jagannathan

Confirmation No. 1443

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**RESPONSE TO NOTICE REGARDING DRAWINGS**

Dear Sir:

This paper is filed in response to the Notice Regarding Drawings mailed on September 2, 2005. It is believed that no fee is due in connection with this filing. If, however, a fee is due the Commissioner is authorized to charge our deposit account number 13-2490.

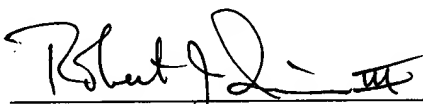
Applicant has submitted a new Figure 1 and a clean copy of Figures 2-13.

Applicant respectfully requests the entry of the substitute drawings in place of the originally filed drawings.

Respectfully submitted,

Date: November 2, 2005

By:

  
Robert J. Irvine III  
Reg. No. 41,865